

REMARKS

This Amendment is in response to the Office Action mailed on March 23, 2006, in which claim 1-20 were rejected. With this Amendment, claims 1 and 18 have been amended and the remaining claims are unchanged in the Application. The Specification has been amended to correct a typographical error. Applicants respectfully request reconsideration and allowance of all pending claims 1-20.

Applicant respectfully points out that independent claims 1 and 18 have been amended only for the purpose of more particularly pointing out and distinctly claiming that which is patentable subject matter of the present invention. The amendments have been made to clarify that, in the claimed data-specs, the spectacles and the projection unit have separate components and operate independently of each other. Support for the amendments can be found on page 3 of the specification and in FIGS. 1-1 and 1-2, which illustrate data-specs 10 that include spectacles 12 and projection unit 14. Spectacles 12 include a first lens 22 and a second lens 24. First lens 22 and second lens 24 are independent of projection unit 14.

I. REJECTION OF CLAIMS 1-2, 4-5, 8, 13, 18 AND 19 UNDER §102(b)

In section 3 of the Office Action, claims 1-2, 4-5, 8, 13, 18 and 19 were rejected under 35 U.S.C. § 102(b) as being anticipated by Yasukawa et al., U.S. Patent No. 6,320,559.

For a prior art reference to anticipate in terms of 35 U.S.C. 102, every element of the claimed invention must be identically shown in a single reference. *In re Bond*, 15 USPQ2d 1566, 1567 (Fed. Cir. 1990) (Emphasis Added.)

The above requirement for anticipation is not met in the rejection of claims 1-2, 4-5, 8, 13, 18 and 19 under 35 U.S.C. 102(e) based upon Yasukawa.

Claim 1, which is directed to a pair of data-specs, features "a pair of spectacles adapted to be worn on the face of a person, the pair of spectacles having a first lens and a second lens; and a projection unit coupled to the spectacles, the projection unit adapted to display data received from an information source, wherein the first lens and the second lens are independent of the projection unit."

The Office Action suggests that Yasukawa teaches the above-noted elements of claim 1. However, the Yasukawa device is simply a head-mounted image display device and data processing apparatus. Any display panel (such as 102) or lens (such as 103), in Yasukawa's invention, is a part of an image display device (which the Office Action refers to as a projection unit). In Yasukawa's device, there are no spectacles having a first lens and a second lens that are independent of the display device. Specifically, Yasukawa teaches or suggests nothing about "a pair of spectacles . . . having a first lens and a second lens; and a projection unit . . . wherein the first lens and the second lens are independent of the projection unit," as required by claim 1. Consequently, claim 1 is patentable and non-obvious over Yasukawa.

Independent claim 18 has elements similar to that of independent claim 1. Thus, for the same reasons as independent claim 1, Applicant submits that independent claim 18 is allowable as well. Moreover, Applicant respectfully submits that dependent claims 2, 4-5, 8, 13 and 19 are also allowable at least by virtue of their dependency, either directly or indirectly, from the allowable independent claims.

II. REJECTION OF CLAIMS 3, 6-7, 9-12, 14-17 AND 20 UNDER §103(a).

In section 5 of the Office Action, claims 6, 9-10, 12, 15-16 and 20 were rejected under 35 U.S.C. §103(a) as being unpatentable over Yasukawa. In section 6 of the Office Action,

claim 7 was rejected under 35 U.S.C. §103(a) as being unpatentable over Yasukawa in view of Preston (U.S. Patent No. 6,094,283). In section 7 of the Office Action, claim 14 was rejected under 35 U.S.C. §103(a) as being unpatentable over Yasukawa in view of Hori et al. (U.S. Patent No. 5,072,209). In section 8 of the Office Action, claim 17 was rejected under 35 U.S.C. §103(a) as being unpatentable over Yasukawa in view of Kato et al. (U.S. Patent No. 5,497,170). In section 9 of the Office Action, claims 3 and 11 were rejected under 35 U.S.C. §103(a) as being unpatentable over Yasukawa in view of Mann (U.S. Patent No. 6,307,526).

Claims 3, 6-7, 9-12, 14-17 and 20 depend ultimately from either claim 1 or claim 18. For reasons provided above, the limitations of claim 1 or claim 18 are not taught or suggested by Yasukawa. The remaining references (Preston, Hori, Kato and Mann) do not overcome the deficiencies of Yasukawa. Therefore, claims 3, 6-7, 9-12, 14-17 and 20 at least by virtue of their dependency, either directly or indirectly, from the allowable independent claims.

In view of the foregoing, Applicants respectfully request reconsideration and allowance of claims 1-20. Favorable action upon all claims is solicited.

The Director is authorized to charge any fee deficiency required by this paper or credit any overpayment to Deposit Account No. 23-1123.

Respectfully submitted,

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